

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

ANTWAN MATTAWS
ADC #108865

PLAINTIFF

V.

5:18CV00169 KGB/JTR

SUSAN POTTS,
Administration Department,
Drew County Jail, *et al.*

DEFENDANTS

RECOMMENDED DISPOSITION

The following Recommended Disposition (ARecommendation@) has been sent to United States District Judge Kristine G. Baker. You may file written objections to all or part of this Recommendation. If you do so, those objections must: (1) specifically explain the factual and/or legal basis for your objection; and (2) be received by the Clerk of this Court within fourteen (14) days of the date of this Recommendation. If you do not file objections, Judge Baker can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may waive the right to appeal questions of fact.

I. Discussion

Plaintiff Antwan Mattaws (“Mattaws”) has filed this *pro se* § 1983 action alleging that Defendants violated his constitutional rights while he was confined in

the Drew County Jail. *Doc. 1.*

On July 2, 2018, the Court entered an Order directing Mattaws to either pay the filing fee in full, or file an application to proceed *in forma pauperis*, on or before August 2, 2018. *Doc 2.* He was cautioned that failure to comply with the Court's Order within that time would result in the recommended dismissal of his case, without prejudice, pursuant to Local Rule 5.5(c)(2).

As of the date of this Recommendation, Mattaws has not complied with the Court's July 2, 2018 Order. The time to do so has expired.

II. Conclusion

IT IS THEREFORE RECOMMENDED THAT:

1. This case be DISMISSED, WITHOUT PREJUDICE, due to a lack of prosecution;

2. The Court CERTIFY, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting this Recommendation would not be taken in good faith.

DATED this 11th day of September, 2018.



UNITED STATES MAGISTRATE JUDGE